

To: Szelag, Matthew (Szelag.Matthew@epa.gov)[Szelag.Matthew@epa.gov]
From: Fleisig, Erica
Sent: Tue 3/7/2017 4:21:08 PM
Subject: RE: WA Toxic Criteria and AWB Petitions

Priority pollutants for which we have more stringent 304a:
Acrolein, arsenic, cadmium, copper, dieldrin, endrin, lindane, mercury, nickel, PCP, selenium

Of that list, which do we have jeopardy opinions in neighboring states on something the same or more stringent:
(Not sure about acrolein), arsenic (chronic only), cadmium (acute only), copper, mercury (chronic only), nickel, selenium (chronic only)

I think the only non-priority pollutants that hit both of those screeners would be ammonia and aluminum? I didn't enter OR for aluminum – do you mind doing that when you're reviewing the spreadsheet? They adopted our 304a and we got a jeopardy opinion on both acute and chronic.

From: Fleisig, Erica
Sent: Tuesday, March 07, 2017 8:25 AM
To: Szelag, Matthew <Szelag.Matthew@epa.gov>
Subject: Re: WA Toxic Criteria and AWB Petitions

I realized I want to do some more number crunching with these, so I'll try to do that when I get in and send to you.

From: Fleisig, Erica
Sent: Monday, March 6, 2017 11:02:02 PM
To: Szelag, Matthew (Szelag.Matthew@epa.gov)
Subject: FW: WA Toxic Criteria and AWB Petitions

Here's how I'd answer some of these Qs with the attached. Also, can you check marine chronic cyanide? I don't see a value in WA's criteria table, but our spreadsheet has a value (that matches the acute value). If you can please give this a quick review and then send back to the group with the answers to David's questions below, that would be awesome.

Also, turns out the sorting thing is pretty easy. You just highlight the column, go to the Data tab, and click "Filter." Then it gives you all the options, including filtering by color (to filter just the yellow cells where the HHC are more stringent).

-Erica

From: Berol, David
Sent: Monday, March 06, 2017 1:57 PM
To: Fleisig, Erica <Fleisig.Erica@epa.gov>
Cc: Crk, Tanja <Crk.Tanja@epa.gov>; Chung, Angela <Chung.Angela@epa.gov>; Szelag, Matthew <Szelag.Matthew@epa.gov>; Guzzo, Lindsay <Guzzo.Lindsay@epa.gov>; Szalay, Endre <Szalay.Endre@epa.gov>; Steiner-Riley, Cara <Steiner-Riley.Cara@epa.gov>; Fidis, Alexander <Fidis.Alexander@epa.gov>; Buffo, Corey <Buffo.Corey@epa.gov>; Ford, Peter <Ford.Peter@epa.gov>; Schroer, Lee <schroer.lee@epa.gov>
Subject: Re: WA Toxic Criteria and AWB Petitions

Thanks, Erica.

Ex. 5 - Attorney Client / Deliberative Process

Ex. 5 - Attorney Client / Deliberative Process

-- David Berol

U.S. EPA Office of General Counsel

202-564-6873

On Mar 5, 2017, at 11:44 PM, Fleisig, Erica <Fleisig.Erica@epa.gov> wrote:

David, to your last point, Matt has been digging up some old spreadsheets we had developed to compare WA's criteria to our current 304a, and to values in OR and ID where we had received corresponding jeopardy opinions. I'm

Ex. 5 - Attorney Client / Deliberative Process

-Erica

From: Berol, David

Sent: Friday, March 03, 2017 3:35 PM

To: Crk, Tanja <Crk.Tanja@epa.gov>; Chung, Angela <Chung.Angela@epa.gov>; Szelag, Matthew <Szelag.Matthew@epa.gov>; Guzzo, Lindsay <Guzzo.Lindsay@epa.gov>; Szalay, Endre <Szalay.Endre@epa.gov>; Steiner-Riley, Cara <Steiner-Riley.Cara@epa.gov>; Fleisig, Erica <Fleisig.Erica@epa.gov>; Fidis, Alexander <Fidis.Alexander@epa.gov>; Buffo, Corey <Buffo.Corey@epa.gov>; Ford, Peter <Ford.Peter@epa.gov>

Cc: Schroer, Lee <schroer.lee@epa.gov>

Subject: RE: WA Toxic Criteria and AWB Petitions

Attorney-Client Privileged; Deliberative

All –

Ex. 5 - Attorney Client / Deliberative Process

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David Berol

U.S. EPA Office of General Counsel
202-564-6873
berol.david@epa.gov

-----Original Appointment-----

From: Crk, Tanja

Sent: Thursday, February 23, 2017 9:59 AM

To: Crk, Tanja; Chung, Angela; Szelag, Matthew; Guzzo, Lindsay; Szalay, Endre; Steiner-Riley, Cara; Fleisig, Erica; Fidis, Alexander; Buffo, Corey; Berol, David; Ford, Peter

Cc: Schroer, Lee

Subject: WA Toxic Criteria and AWB Petitions

When: Tuesday, March 07, 2017 1:00 PM-2:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: HQ-Room-WJCW-6124-50pp

Dial in: **Ex. 6 - Personal Privacy**

Note that this is an EPA (internal) meeting for staff and BCs to discuss two petitions: 1) the complaint by NWEA regarding EPAs response (or failure to respond) to the NWEA petition to update the WQC for toxics in WA and includes a no action reference on arsenic, dioxin, and thallium; and 2) the AWB petition to withdraw the federal rule in WA.

Ex. 5 - Deliberative Process / ACP

Agenda

1. Discuss the WA petition from NWEA

NWEA petition response.pdf

Response to NWEA May 2016. Is there an email record of sending this petition response to Nina?

2. Discuss the AWB petition